

**REMARKS**

Claims 1 through 19 are currently pending in the application.

This amendment is in response to the Final Office Action of June 29, 2006

**35 U.S.C. § 102(e) Anticipation Rejections**

**Anticipation Rejection Based on U.S. Patent No. 5,931,722 to Ohmi et al.**

Claims 1 through 7, 10 through 12, 13, 15, 18, and 19 stand rejected under 35 U.S.C. § 102(e) as being anticipated by Ohmi et al. (U.S. Patent No. 5,931,722). Applicants respectfully traverse this rejection, as hereinafter set forth.

A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference. *Verdegaal Brothers v. Union Oil Co. of California*, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). The identical invention must be shown in as complete detail as is contained in the claim. *Richardson v. Suzuki Motor Co.*, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989).

Applicants assert that the Ohmi et al. reference does not and cannot anticipate the claimed inventions of independent claims 1 and 13 under 35 U.S.C. § 102 because the Ohmi et al. reference does not identically describe, either expressly or inherently, each and every element of the claimed inventions in as complete a detail as is contained in the claims.

Turning to the cited prior art, the Ohmi et al. reference describes a chemical mechanical planarization apparatus for a wafer having polishing pads 42 revolving around axles 26 having slurry passing therearound in passageway 31 having a jacket 32 through a front surface of a polishing pad. Slurry is removed from the wafer by channels or gaps 46. As asserted by the Examiner on page 7 of the Final Office Action, "Ohmi clearly shows a tubular member 32 having a flange."

It is further asserted by the Examiner that "a flange of a tubular member is conventionally known as having a thin annular edge as illustrated in the Kraft reference." Applicants respectfully disagree and assert that not only does jacket 32 lack a thin annular edge whatsoever, but it is not conventionally known for a flange to have a thin annular edge. The Kraft reference (U.S. 4,090,284) does not describe a flange having an annular edge, but, rather, describes a

flange 5 having an annular surface 9. The annular edge 8 disclosed in Kraft is located at an end of a cylindrical body 4 opposite flange 5. Col. 3, lines 60-65. Applicants assert that such a thin annular edge is not illustrated in any drawing figure of the Ohmi et al. reference, not described in any portion of the specification of the Ohmi et al. reference, and not conventionally known to be part of a flange.

Furthermore, Applicants assert that the Ohmi et al. reference does not describe at least one thin annular edge of the annular member of the etchant-dispensing apparatus located adjacent a portion of the wafer. Rather, Ohmi et al. discloses a jacket 32 having a flange remote from the material to be polished 40.

Applicants assert that the Ohmi et al. reference fails to describe the elements of the claimed inventions of independent claims 1 and 13 calling for “providing an etchant-dispensing apparatus having an inlet thereto for an etchant agent and a tubular member having at least one thin annular edge thereon to clean material from the wafer”, “placing an area of the wafer within an annular member of the etchant-dispensing apparatus, at least one thin annular edge of the annular member of the etchant-dispensing apparatus located adjacent a portion of the wafer to clean material from the wafer”, “aligning the wafer and the etchant-dispensing apparatus to clean material from the wafer”, “dispensing an etchant through another tubular member having a portion thereof surrounded by the tubular member having at least one thin annular edge thereon onto the area of the wafer using the etchant-dispensing apparatus to clean material from the wafer”, “removing the etchant”, and “chemical mechanical planarizing the wafer prior to removing the material from the wafer; providing an etchant-dispensing apparatus having a tubular member, an annular member having at least one thin annular edge thereon, and an inlet for etchant for selectively removing a material from a wafer; aligning at least one area of the wafer and at least a portion of the etchant-dispensing apparatus for selectively removing a material from a wafer; dispensing an etchant through another tubular member having a portion thereof surrounded by the tubular member having at least one thin annular edge thereon onto the at least one area of the wafer for selectively removing a material from a wafer; and removing the etchant using a portion of the etchant-dispensing apparatus for selectively removing a material from a wafer”. In contrast to the elements of the claimed inventions of independent claims 1 and

13, the Ohmi et al. reference has no etchant-dispensing apparatus having an inlet thereto for an etchant agent and a tubular member having at least one thin annular edge thereon to clean material from the wafer or dispensing an etchant through another tubular member having a portion thereof surrounded by the tubular member having at least one thin annular edge thereon onto the area of the wafer using the etchant-dispensing apparatus to clean material from the wafer whatsoever. The jacket 32 is not adjacent to the material to be polished 40 and does not have a thin annular edge thereon in Ohmi et al. Accordingly, since the Ohmi et al. reference does not identically describe each and every element, either expressly or inherently, of the claimed inventions of independent claims 1 and 13, the Ohmi et al. reference does not and cannot anticipate the claimed inventions of independent claims 1 and 13 under 35 U.S.C. § 102. Therefore, independent claims 1 and 13 are allowable as well as the dependent claims therefrom.

Anticipation Rejection Based on Ohmi et al. (U.S. Patent 5,931,722)

Claims 13 through 15, 18 and 19 were rejected under 35 U.S.C. § 102(e) as being anticipated by Ohmi et al. (U.S. Patent 5,931,722).

Applicants assert that since independent claim 13 is allowable, dependent claims 14, 15, 18 and 19 therefrom are allowable.

**35 U.S.C. § 103(a) Obviousness Rejections**

Obviousness Rejection Based on Ohmi et al. (U.S. Patent 5,931,722) in view of Iwashita et al. (U.S. Patent 5,722,875)

Claims 8 and 16 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Ohmi et al. (U.S. Patent 5,931,722) in view of Iwashita et al. (U.S. Patent 5,722,875). Applicants respectfully traverse this rejection, as hereinafter set forth.

Applicants assert that since independent claims 1 and 13 are allowable, dependent claims 8 and 16 therefrom are allowable.

Obviousness Rejection Based on Ohmi et al. (U.S. Patent 5,931,722) in view of Drill (U.S. Patent 6,190,236)

Claims 9 and 17 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Ohmi et al. (U.S. Patent 5,931,722) in view of Drill (U.S. Patent 6,190,236). Applicants respectfully traverse this rejection, as hereinafter set forth.

Applicants assert that since independent claims 1 and 13 are allowable, dependent claims 9 and 17 therefrom are allowable.

Applicant requests entry of this amendment for the following reasons:

The amendment is timely filed.

The amendment does not require any further search or consideration.

The amendment places the application in condition for allowance.

Applicants submit that claims 1 through 19 are clearly allowable over the cited prior art.

Applicants request the entry of this amendment, the allowance of claims 1 through 19, and the case passed for issue.

Respectfully submitted,



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